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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

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ART UNIT      PAPER

2628      20100325

DATE MAILED:

Commissioner for Patents

It is noted that for each NPL document, listed on the respective PTO-1449 forms filed in the instant application, without date information a "no date" annotation has been assigned by the examiner to each as the date information was not readily obtainable.

/Peter-Anthony Pappas/  
Primary Examiner, Art Unit 2628

### **EXAMINER'S AMENDMENT**

1. A double patenting administrative requirement is not being required by the examiner in the instant application since the examiner has independently conducted a double patenting analysis of the claims in the instant application.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Carl L. Benson on 3/26/10.

The application has been amended as follows: **see the attached claims.**

3. Claims 2-4 and 43-52 are allowed. In regard to said claims the prior art of record fails to teach or suggest the respective claim limitations when considered as a whole.
4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PETER-ANTHONY PAPPAS whose telephone number is (571) 272-7646. The examiner can normally be reached on M-F 9:00AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on 571-272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Peter-Anthony Pappas/  
Primary Examiner, Art Unit 2628

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

1. (Cancelled)

2. (Currently amended) A method for reprogramming a receiver station that receives television or radio programming, said receiver station having a data network connection to an external data network, a processor, an input device, and a data storage device, said method comprising the steps of:

storing first operating instructions at said receiver station, executing said first operating instructions at said processor to perform a first function, said first operating instructions being different from permanent operating instructions permanently stored at said receiver station;

generating a query at said receiver station, said query comprising a request by said receiver station for reprogramming;

promulgating said query from said receiver station under control of said processor executing said first operating instructions through said data network connection to a said external data network;

receiving second operating instructions different from both said permanent operating instructions and said first operating instructions in response to said step of promulgating said query, said second operating instructions for controlling operation of said processor, wherein said first and said second operating instructions do not include audio data, video data, image data and any combination thereof; and

~~storing said second operating instructions at said data storage device at said receiver station~~

reprogramming said processor with said received second operating instructions;

performing a second function by executing said second operating instructions at said processor, said second function including controlling reception of signals required to output a video programming transmission;  
receiving said signals required to output said video programming transmission;  
processing said signals to enable the output of said video programming transmission; and  
outputting said video programming transmission for display to a viewer.

3. (Currently amended) The method of claim 2, further comprising the steps of:

~~processing or outputting information on the basis of said first and second operating instructions at said receiver station;~~  
storing a data record evidencing said step of processing or outputting; and  
~~transferring said data record from said step of processing or outputting~~  
from said receiver station data storage device to a data collection station in said external data network through said data network connection.

4. (Previously presented) The method of claim 2 wherein said data network connection is a telephone interface connection.

5. (Cancelled) A method for providing and tracking a receiver station's use of a function in a data network at a data collection station, said receiver station having a data network connection, a processor, an input device, and a data storage device, said data network having a plurality of data information sources, said method comprising the steps of:

~~providing operating instructions or executable code to a plurality of receiver stations from said plurality of data information sources;~~  
~~performing said function based on said operating instructions or said executable code at said receiver station;~~  
~~recording an identification of said performed function at said data storage device at said receiver station; and~~

~~transferring said record of identification to said data collection station on said data network through said receiver station data network connection.~~

6. (Cancelled) ~~The method of claim 5, wherein said receiver station data network connection is a telephone network connection.~~

7. (Cancelled) ~~The method of claim 5, wherein said function in said step of performing said function is a series of numerical functions performed on a computer.~~

8-42. (Cancelled)

43. (Currently amended) A method of delivering one of broadcast programming and cablecast programming to a subscriber in a communications network, said communications network including a transmitter station and a receiver station, said transmitter station ~~being capable of~~ communicating a processor control signal associated with said one of broadcast programming and cablecast programming, said receiver station having an input device for inputting subscriber information, a processor for storing and processing subscriber data in response to said processor control signal, a communications device for transmitting information to a remote site, and an output device for displaying a television program, said method comprising the steps of:

storing first operating instructions at said receiver station, executing said first operating instructions at said processor to control operation of said receiver station, said first operating instructions being different from permanent operating instructions permanently stored at said receiver station;

displaying said television program at said output device;

inputting a command at said input device;

communicating, from said receiver station to said transmitter station, an event signal based on said command inputted at said receiver station;

transmitting, from said transmitter station to said receiver station, second operating instructions associated with said one of broadcast programming and

cablecast programming, in response to said event signal communicated from said receiver station, said second operating instructions being different from both said permanent operating instructions and said first operating instructions, wherein said first and said second operating instructions do not include audio data, video data, image data and any combination thereof;

one of programming and reprogramming said processor at said receiver station, on the basis of said second transmitted operating instructions;

controlling said processor by executing said second operating instructions to such that said processor responds in a predetermined fashion to said processor control signal;

receiving, at said receiver station, said processor control signal;

processing, at said receiver station, said processor control signal by executing processor instructions using said processor; and

causing said receiver station to receive receiving and output outputting said one of broadcast programming and cablecast programming in accordance with said processor control signal by controlling said receiver station with said processor executing said processor instructions.

44. (Previously presented) The method of claim 43, wherein said command is a subscriber reaction to said television program.

45. (Previously presented) The method of claim 43, wherein said event signal communicated from said receiver station comprises a customer order for said one of broadcast programming and cablecast programming.

46. (Currently amended) The method of claim 43, wherein said received and processed processor control signal is an instruct-to-tune signal that causes a receiver to receive a selected transmission.

47. (Currently amended) The method of claim 43, wherein said received and processed processor control signal is an instruct-to-activate signal that controls a switch or inputs power to an apparatus.

48. (Currently amended) The method of claim 43, wherein said received and processed processor control signal is an instruct-to-enable signal that causes a transfer device to transfer a signal to said output device.

49. (Currently amended) The method of claim 43, wherein said received and processed processor control signal is an instruct-how-to-decrypt signal that controls a decryptor.

50. (Currently amended) The method of claim 43, wherein said received and processed processor control signal is an instruct-to-coordinate signal that coordinates a multimedia presentation.

51. (Currently amended) The method of claim 43, wherein said received and processed processor control signal is an instruct-to-generate signal that generates information that supplements said one of broadcast programming and cablecast programming.

52. (Currently amended) The method of claim 43, wherein said received and processed processor control signal is an instruct-to-generate signal that generates information that completes said one of broadcast programming and cablecast programming.